

THE MONTHLY MEETING OF BERKELEY COUNTY COUNCIL is scheduled to be held on **MONDAY, AUGUST 27, 2012**, following Public Hearings and the meetings of any scheduled Committees at **6:04 p.m.**, in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

CALL TO ORDER

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

APPROVAL OF MINUTES:

Public Hearings: Bill No. 12-15, 12-16
Regular Council Meeting

July 23, 2012
July 23, 2012

PUBLIC DISCUSSION - Requests to be heard must be made prior to Call to Order and comments must be limited to agenda items only.

COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES PER SPEAKER. (A TOTAL OF 30 MINUTES WILL BE ALLOTTED FOR THIS PUBLIC DISCUSSION PERIOD.)

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the County; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim.

CHAIRMAN OF COUNTY COUNCIL

REPORTS FROM STANDING COMMITTEES:

- 1. Committee on Finance**
Council Member, Mr. Jack H. Schurlknight, Chairman
- 2. Committee on Land Use**
Council Member, Mr. Phillip Farley, Chairman
 - a. Contract with Tax Management Association.**

3. **Committee on Public Works and Purchasing**
Council Member, Mr. Caldwell Pinckney, Jr., Chairman
 - a. Sole Source Purchase for Hecon software.
 - b. Sole Source Purchase for Appraisal software.
 - c. Contract extension for Yard Waste Grinding.
 - d. Town of Moncks Corner Variance Request
4. **Committee on Justice and Public Safety**
Council Member, Mr. Steve C. Davis, Chairman
 - a. EPD Grant Award.
5. **Committee on Water and Sanitation**
Council Member, Mr. Robert O. Call, Jr., Chairman
6. **Committee on Planning and Development**
Council Member, Mrs. Cathy S. Davis, Chairman
7. **Committee on Community Services**
Council Member, Mr. Timothy J. Callanan, Chairman
8. **Committee on Human Services**
Council Member, Mr. Dennis Fish, Chairman

THIRD READING:

1. **Bill No. 12-17**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, **Re: William and Theresa Price**, located at 248 Harvest Road, Moncks Corner, **TMS #195-12-01-006**, (3.66 ± acres), from **R-2, Manufactured Residential District**, to **R-2R(F), Mobile Home Rural Farm Residential District**. Council District 6
2. **Bill No. 12-18**, an **ordinance** to modify the Zoning and Development Standards Map of Berkeley County, South Carolina, **Re: Ray Sedgwick**, located at 1020 English Drive (Canal Lakes Fish Camp), Cross, **TMS #031-00-03-044 and TMS #031-00-03-045**, (10.12 ± acres), from **GC, General Commercial District (-044)**, and **R-3, Mobile Home Park District (-045)**, to **RNC, Rural Neighborhood Commercial District**. Council District 7
3. **Bill No. 12-19**, an **ordinance** authorizing the County Supervisor to execute a **Quit Claim Deed** from Berkeley County to **MWV-Sheep Island, LLC**, for the property herein described as a portion of **Turtle Pond Road**.

4. **Bill No. 12-20, an ordinance approving an amendment to the Planned Development Mixed Use Assessment** for Cane Bay Plantation, Berkeley County, South Carolina, dated January 4, 2005, as amended (the “PDMU”).

SECOND READING:

1. **Bill No. 12-21, an ordinance** to modify the Zoning and Development Standards Map of Berkeley County, South Carolina, **Re: James Patenaude for Yeros Investments**, located at 2509 Clements Ferry Road, Charleston, **TMS #271-00-02-045**, (5.01 +/- Acres) from **GC, General Commercial District to LI, Light Industrial District**. Council District 8.
[Recommended by Land Use Committee]
2. **Bill No. 12-22, an ordinance** to modify the Zoning and Development Standards Map of Berkeley County, South Carolina, **Re: Berkeley County Council for Shelby Ann Clark**, located 216 & 217 Kaney Lane, Moncks Corner, **TMS #141-00-02-011** (13.52 +/- Acres) from **PDMU, Planned Development Mixed Use District to Flex-1, Agricultural District**. Council District 6.
[Recommended by Land Use Committee]
3. **Bill No. 12-23, an ordinance** to modify the Zoning and Development Standards Map of Berkeley County, South Carolina, **Re: Farmers and Merchants Bank**, located at 2725 South Live Oak Drive, Moncks Corner, **TMS #196-13-00-005**, (0.67 +/- Acres) from **R-2, Manufactured Residential District to GC, General Commercial District**. Council District 6.
[Recommended by Land Use Committee]

FIRST READING:

1. **Bill No. 12-24, an ordinance** authorizing the execution and delivery of a **Fee Agreement** by and between Berkeley County, South Carolina (the “County”), and **Nucor Corporation** (the “Sponsor”), with respect to the expansion of the sponsor’s manufacturing facility within the County (the “Project”), whereby the project will be subject to certain fees in lieu of ad valorem property taxes, special source revenue credits, the benefits of a multi-county industrial park agreement, and other matters related thereto.
[Recommended by Finance]

RESOLUTION:

1. **RESOLUTION** providing for the **Transfer of Funds** in the **2012-2013 Berkeley County Budget** for County purposes other than as specified in said budget.

2. **RESOLUTION** approving a **First Amendment** to that certain **Development Agreement** by and between **BMG III, LLC, MRG, LLC, JTG, LLC** and Berkeley County dated November 1, 2006 and recorded in the Berkeley County Register of Deeds, (the “RMC”) on November 8, 2006 in Volume 6114 at Page 1 (The “Development Agreement”) pursuant to the South Carolina Local Government Development Agreement Act and Berkeley County Ordinance 97-1-2, as amended, and authorizing the County Supervisor to execute said First Amendment to the Development Agreement.
3. **RESOLUTION** consenting to the **abandonment of certain right of way** herein described as portions of **Rose Drive** for the purpose of realigning Rose Drive.

NOMINATIONS FOR MEMBERSHIP ON BOARDS AND COMMISSIONS

Aeronautics Commission
Berkeley Rural Transportation Management Assoc.
Charleston Area Transportation Study
Charleston Regional Development Alliance
Construction Board Of Appeals
Council Of Governments
Devon Forest Special Tax District
Goose Creek Recreation Commission
Library Board
Mental Health Board
Pimlico Tax District
Special Fire Tax District
Tall Pines Special Tax District
Tax Assessment Review Board
Zoning Appeals Board

CORRESPONDENCE

OLD BUSINESS

1. Sheriff's Department - Acceptance of the Edward Byrne Memorial Justice Assistance Grant (JAG).
2. Sheriff's Department – Grant Adjustment Notice FY10 Justice Assistance Grant (JAG).
3. Emergency Preparedness - Amendment to the FY2009 Citizens Corps Cooperative Agreement Award.

NEW BUSINESS

ANNOUNCEMENTS

The **September 2012 Regular Meeting of Berkeley County Council** will be held on **Monday, September 24, 2012**, immediately following Public Hearings and any scheduled Committee Meetings at 6:00 p.m., in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, SC.

ADJOURNMENT

EXECUTION OF DOCUMENTS BY COUNCIL

PUBLIC DISCUSSION

COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES AND MAY BE ON ANY MATTER.

August 22, 2012
S/Catherine R. Windham
Interim Clerk to County Council